

Unapproved
Bellbrook-Sugarcreek Merger Study Commission
Meeting
Minutes
July 28, 2010

1. The meeting was called to order at 7:00 PM by Joan Gallagher, Co-Chairperson of the Merger Study Commission.
2. Mrs. Gallagher called the roll with Commission members Mike Shank, Sam Staley, Bill Berry Tom Frantz, Linda Hummel, Donna Hellmann, Howard Ackerman, Charlie Schwegman and Ron Folkerth present.
3. Others present were, Scott Bryant, Cindy Porter, Harold Rodgers, Jim Tharpe, Ben Rader, Jim Martin, Tim and Denise Toth, Nick Griffin, Dustin Schneble, Gary Hellmann, Phil Michael, Michael Northen, Anthony Bizzaro, Ed Bentley, Bill Schieman, Gregg Nartker, Jon Martin, Athena Haus, Rene Nunnington, An Stokes-Crowe, Bill Roos, Andrew Feskens, Dan Tieman, Karen Shroyer, Katherine Ulmer, Robert Portune, Nadine Daugherty, Barry Tiffany and Mark Schlagheck.
4. There were some introductory remarks from both Co-chairs. Mrs. Gallagher asked that everyone be courteous and respectful during the meeting. Mr. Shank expressed the Commission's "Thanks" to key people who were extremely helpful for the duration of the Merger Study Commissions work including Christy Phillips who was the Transcriber for the minutes. Denny Bennett and Bill Schieman were also acknowledged for their help in maintaining the website. Mark Schlagheck and Barry Tiffany were thanked for all of their professionalism , expertise and diligence in aiding the Merger Study Process.
5. The minutes from the July 7, 2010 Regular meeting, July 14, Special meeting and several Work Sessions had been circulated and were presented for approval. A Motion was made by Dr. Staley to approve the minutes for the July 7, 2010 meeting. Mr. Folkerth seconded the motion. All voted yes. The motion passed. A Motion was made by Mrs. Hellmann to approve the minutes from the

July 14, 2010 Special meeting. Mr. Frantz seconded the motion. All voted yes except Dr. Staley, who abstained. The motion passed.

A Motion was made by Mr. Berry to approve the minutes from the July 14, 2010 Work Session. Mrs. Hellmann seconded the motion. All voted yes except Dr. Staley and Mr. Schwegman who abstained. The motion passed. A Motion was made by Dr. Staley to approve the July 21, Work session minutes. Mr. Berry seconded the motion. All voted yes except Mr. Schwegman and Mr. Ackerman who abstained. The motion passed.

6. Approval of Invoices: Dr. John Blair, an Economist from Wright State University, had completed a Review of the Annexation Impact Study on a pro bono basis. Mrs. Gallagher approved the invoice from the Transcriber for \$75.00 for the 3 hour July 7, 2010 meeting. A Motion was made by Tom Frantz to pay the Transcriber, Mrs. Phillips for her transcription at the Public Hearings on July 8 and 10, 2010 at half the rate \$12.50 per hour since she was only listing questions of attendees. Ms. Hummel seconded the motion. All voted yes. The motion passed. The lawyer, Mr. Portune presented an invoice for billable hours from July 1 to July 28, 2010. Dr. Staley made a motion to pay Mr. Portune \$3,311.39. Ms. Hummel seconded the motion. All voted yes. The motion Passed.
7. There were several pieces of Correspondence from a couple in the City, Naomi and Ed Bentley, who stated that they were against a Merger. Both their letter and e-mail to Mayor Mary Graves stated their opposition to a Merger. They were urging the Commission not to put a Merger on the November 2, 2010 ballot. Mrs. Gallagher noted that she had sent a Thank You to Dr. Keith St Pierre for the use of the Bellbrook Middle School for the Merger Study Commissions Public Meetings on July 8 and 10, 2010. She noted that Principal Jenesse Sigmund and Vice-principal Jeff Eckley were very congenial and helpful regarding access to the building during their own summer vacation.
8. Next on the agenda was the vote by the Commissioners to Approve the Conditions of Merger. Mrs. Gallagher asked for a Motion that the statement of Terms and Conditions of Merger between the City of Bellbrook and Sugarcreek Township dated July 28, 2010 be approved by the Merger Commission. Mr. Shank answered, So Moved. Mr. Folkerth seconded the motion. There was a question as to whether the Commissioners would state their reasons for their vote in the discussion or when they cast their vote. Mr. Schwegman

felt strongly that he wanted to express his views in the discussion. Dr. Staley commented that he could discuss his views in both the discussion and when he voted. Both reviewed their views as well as Mrs. Gallagher in the discussion of the motion. Mr. Schwegman stated he is against the Conditions of Merger because of taxes. He expressed his disappointment that there couldn't be a merger for less money. He, like many people had hoped that consolidation would result in cost savings. Dr. Staley thought that the decision to merge should be that of the voters. Mrs. Gallagher said that the State of Ohio in the language for a merger, asks whether the Commission can approve the Conditions of Merger? She indicated that for her this meant that the conditions would have to be realistic so that they could guide the New City.

The vote was then taken:

Donna Hellmann- Yes	William Berry-No
Charles Schwegman-No	Samuel Staley-Yes
Ronald Folkerth-No	Thomas Frantz-No
Howard Ackerman- Yes	Linda Hummel-Yes
Joan Gallagher-No	Michael Shank-No

The Motion did not pass since there wasn't a majority of Commissioners voting "Yes" in either the Township or the City.

The following is a summary of the justification of each Commissioners vote:

Mrs. Hellmann* stated that while she heard the analogy, If it's not broken don't fix it, several times, she disagrees. She talked about the fact that there will be a change of some kind. Considering all of the changes which have occurred in the Township since 1989, when she moved to Sugarcreek, it's not possible for things to remain as they are now. She feels it is up to the voters to decide.

Mr. Berry agreed with Mrs. Hellmann that change is constant. He stated that the biggest point for him was finances and whether or not people can afford it.

Dr. Staley* stated that the merger is feasible and that the Conditions of the Merger are something people could accept. He questioned if a merger is desirable and thinks the voters should decide.

Mr. Folkerth stated that even though there are several similarities in the communities, the high financial burden can't be justified.

Mr. Frantz commented that the Conditions of Merger were good, but the fact that there is a high cost, instead of saving taxpayers money, convinced him to vote No.

Mr. Ackerman* stated that if the merger could save money it would be a different scenario, but feels it should be the decision of the voters.

Ms. Hummel* stated that even though there is a cost involved, she feels that it is an investment in the future. She used a song, Big Yellow Taxi by Joni Mitchell, to state her opinion. Ms. Hummel stated she was also influenced by her experience on the Township's Open Space Advisory board for several years. She fears Sugarcreek will become another Beavercreek Township or Springboro, which will lead to the need for larger schools. She also stated that she feels that the Conditions of Merger are very informative for voters and clearly state the benefits and costs involved.

Mr. Shank stated that he knows that the voters are competent to understand the Conditions of Merger. He believes that the cost of merger in the report is accurate, but feels that the cost is unacceptable.

An * denotes that the Commissioner's full statement is attached to the minutes. Also note that Mr. Schwegman and Mrs. Gallagher summarized their justification in the discussion of the motion

9. Since the vote to approve the Terms and Conditions of Merger did not pass, the Ohio Revised Code, O.R.C., states that a vote can be taken that the proposed Merger should not occur. Mrs. Gallagher asked for a Motion stating that the proposed Merger between the City of Bellbrook and Sugarcreek Township should not occur. Mr. Shank answered, So moved. Mr. Schwegman seconded the motion.

Discussion centered on the fact that in this instance a Yes vote was against the Merger. Also if a majority of those voting in favor of the motion to disprove the Merger passed, then the work of the Merger

Study Commission is completed and no further action is needed. In light of this, the motion on the floor was tabled. Mr. Berry made a Motion, to pay the Transcriber for the July 28, 2010 minutes. Ms. Hummel seconded the motion. All voted aye and the motion passed.

The previous Motion that was on the floor “That the proposed merger between the City of Bellbrook and Sugarcreek Township should not occur” was considered. The roll call was taken and seven of the Commissioners, Thomas Frantz, Samuel Staley, William Berry, Ronald Folkerth, Charles Schwegman, Joan Gallagher and Michael Shank voted “Yes” that the Merger not occur. Linda Hummel, Howard Ackerman and Donna Hellmann voted “No” that the Merger not occur. Since the majority of Commissioners in both the Township and City voted that the Merger not occur, the work of the Merger Study Commission was completed with the Merger not going on the November 2, 2010 ballot.

10. There was a Motion to adjourn. All in favor said Aye. The meeting was adjourned at 9:10 PM.